

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Northern District of Texas

Case number (if known): _____ Chapter **11**

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

Heart to Heart Catering, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN)

8 2 - 0 9 2 6 8 6 2

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

4252 Spring Valley Road

Number Street

Farmers Branch, TX 75244

City State ZIP Code

Dallas

County

Number Street

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

<https://www.hearttoheartcatering.com/>

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor <u>Heart to Heart Catering, LLC</u> Name _____	Case number (if known) _____
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7. Describe debtor's business

A. Check one:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7 2 2 3

8. Under which chapter of the Bankruptcy Code is the debtor filing?

 A debtor who is a "small business debtor" must check the first subbox. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box

Check one:

☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check all that apply:

☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

 If more than 2 cases, attach a separate list.

☐ No

☒ Yes. District Northern District of Texas When 5/20/2022 Case number 22-30900
MM / DD / YYYY

District Northern District of Texas When 10/15/2019 Case number 19-33453
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

 List all cases. If more than 1, attach a separate list.

☒ No

☐ Yes. Debtor _____ Relationship _____
 District _____ When _____
MM / DD / YYYY
 Case number, if known _____

Debtor Heart to Heart Catering, LLC Case number (if known) _____
Name

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? _____

Number Street

City

State

ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds?

Check one:

- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- ☒ 1-49 ☐ 50-99 ☐ 1,000-5,000 ☐ 5,001-10,000 ☐ 25,001-50,000 ☐ 50,000-100,000
- ☐ 100-199 ☐ 200-999 ☐ 10,001-25,000 ☐ More than 100,000

15. Estimated assets

- ☒ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Debtor Heart to Heart Catering, LLC Case number (if known) _____
Name

16. Estimated liabilities
- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor
- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - I have been authorized to file this petition on behalf of the debtor.
 - I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/24/2024
MM/ DD/ YYYY

X /s/ Thomas Elkhay
Signature of authorized representative of debtor

Thomas Elkhay
Printed name

Title Managing Member

18. Signature of attorney

X /s/ Robert T DeMarco
Signature of attorney for debtor

Date 06/24/2024
MM/ DD/ YYYY

Robert T DeMarco
Printed name

DeMarco Mitchell, PLLC
Firm name

12770 Coit Road, Suite 850
Number Street

Dallas TX 75251
City State ZIP Code

(972) 991-5591 robert@demarcomitchell.com
Contact phone Email address

24014543 TX
Bar number State

Fill in this information to identify the case:

Debtor name Heart to Heart Catering, LLC

United States Bankruptcy Court for the:

Northern District of Texas

Case number (if known): _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☒ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☒ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☒ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☒ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☒ *Schedule H: Codebtors* (Official Form 206H)
- ☒ *A Summary of Assets and Liabilities for Non-Individuals* (Official Form 206A-Summary)
- ☐ *Amended Schedule* _____
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/24/2024
MM/ DD/ YYYY

X /s/ Thomas Elkhay
Signature of individual signing on behalf of debtor

Thomas Elkhay
Printed name

Managing Member
Position or relationship to debtor

Fill in this information to identify the case:

Debtor name Heart to Heart Catering, LLC

United States Bankruptcy Court for the:

Northern District of Texas

Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	AFC Capital Source, LLC 201 S. Biscayne Miami, FL 33131						\$24,730.00
2	American Express P.O. Box 650448 Dallas, TX 75265-0448						\$11,550.00
3	Caine & Winer PO Box 55848 Sherman Oaks, CA 91413						\$17,878.11
4	EFSA 1943 Tyler St. Miami, FL 33153						\$25,509.10
5	Eric A. Liepins, P.C. 12770 Coit Road Suite 850 Dallas, TX 75251						\$5,992.83
6	Family Funding Group 2929 E. Commercial Blvd. Fort Lauderdale, FL 33308						\$70,050.00
7	Green Capital 730 E Park Blvd Plano, TX 75074						\$6,592.00
8	Honest Funding 15440 Broad Brush Drive Sun City Center, FL 33573						\$12,638.51

Debtor **Heart to Heart Catering, LLC**

Case number (if known) _____

Name

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Iruka 162 Elmora Ave. 300 Elizabeth, NJ 07202						\$6,592.00
10	Mantis Funding 225 Clematis West Palm Beach, FL 33401						\$72,500.00
11	MCA Receivables, LLC D/B/A Ally Funding Group Mitchell J. Levine 707 Bloomfield Avenue Bridgeport, CT 06602			Contingent			\$16,550.00
12	Merchant Funding 55 Water Street 50th Floor New York, NY 10004						\$15,193.00
13	Merk Funding 3611 14th Ave Brooklyn, NY 11218						\$11,700.00
14	Optimum Bank Easy Funding Solutions LLC 11 Diamond Terrace Lakewood, NJ 08701						\$64,329.23
15	Par Funding 20900 NE 20th Ave 307 Miami, FL 33180						\$8,600.00
16	Rapid Finance 4500 East West Highway 6th Floor Bethesda, MD 20814						\$25,071.00
17	Square Capital Program 1455 Market Street 600 San Francisco, CA 94103						\$14,954.00
18	Sysco 800 Trinity Drive The Colony, TX 75056						\$7,396.00
19	Titlemax 15 Bull Street Savannah, GA 31401						\$7,790.00
20	Zodiac Hospitality Services PO Box 754183 Dallas, TX 75379						\$37,874.76

AFC Capital Source, LLC
201 S. Biscayne
Miami, FL 33131

Ally
P.O. Box 9001951
Louisville, KY 40290

American Express
P.O. Box 650448
Dallas, TX 75265-0448

Bank of America
P.O. Box 660312
Dallas, TX 75266-0312

Caine & Winer
PO Box 55848
Sherman Oaks, CA 91413

Capital One Bank
PO Box 60599
City of Industry, CA 91716

EFSA
1943 Tyler St.
Miami, FL 33153

Eric A. Liepins, P.C.
12770 Coit Road Suite 850
Dallas, TX 75251

Everest Business Funding
2001 NW 107 Ave 300
Miami, FL 33172

Family Funding Group
2929 E. Commercial Blvd.
Fort Lauderdale, FL 33308

Green Capital
730 E Park Blvd
Plano, TX 75074

Honest Funding
15440 Broad Brush Drive
Sun City Center, FL 33573

Iruka
162 Elmora Ave. 300
Elizabeth, NJ 07202

Mantis Funding
225 Clematis
West Palm Beach, FL 33401

Marquee
24025 Park Sorrenton 150
Calabasas, CA 91302

MCA Receivables, LLC D/B/A
Ally Funding Group
Mitchell J. Levine
707 Bloomfield Avenue
Bridgeport, CT 06602

Merchant Funding
55 Water Street 50th Floor
New York, NY 10004

Merk Funding
3611 14th Ave
Brooklyn, NY 11218

Optimum Bank
Easy Funding Solutions LLC
11 Diamond Terrace
Lakewood, NJ 08701

Par Funding
20900 NE 20th Ave 307
Miami, FL 33180

Pawnee Leasing
3804 Automation Way 207
Fort Collins, CO 80525

Rapid Finance
4500 East West Highway 6th Floor
Bethesda, MD 20814

Refrigerated Specialist, Inc.
34040 East Meadows Blvd.
Mesquite, TX 75150

Shag Decoration
3184 Quebec Street
Dallas, TX 75247

Square Capital Program
1455 Market Street 600
San Francisco, CA 94103

State Comptroller
111 E. 17th St.
Austin, TX 78774

SV Tech Center, LLC,
1301 W. 7th Street, Suite 141
Fort Worth, TX 76102

Sysco
800 Trinity Drive
The Colony, TX 75056

Thomas Elkhay
4252 Spring Valley Road
Dallas, TX 75244

Titlemax
15 Bull Street
Savannah, GA 31401

Trinity Interests
12740 Hillcrest 101
Dallas, TX 75230

TXU Energy/ Bankruptcy
PO Box 650393
Dallas, TX 75265

Ultra Funding LLC
2929 E. Commercial Blvd.

Zodiac Hospitality Services
PO Box 754183
Dallas, TX 75379

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE: **Heart to Heart Catering, LLC**

CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date **06/24/2024**

Signature **/s/ Thomas Elkhay**
Thomas Elkhay, Managing Member

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:
Heart to Heart Catering, LLC

CHAPTER 11

DEBTOR(S)

CASE NO

LIST OF EQUITY SECURITY HOLDERS

Registered Name of Holder of Security Last Known Address or Place of Business	Class of Security	Number Registered	Kind of Interest Registered
Thomas Elkhay 4252 Spring Valley Road Dallas, TX 75244		50%	
Mary Elkhay 4252 Spring Valley Road Dallas, TX 75244		50%	

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Managing Member of the Nonpublic Corporation
named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true
and correct to the best of my information and belief.

Date: 06/24/2024

Signature: /s/ Thomas Elkhay
Thomas Elkhay, Managing Member